

UNITED STATES DISTRICT COURT  
for the  
District of Maryland

United States of America )

v. )

Jerome Adolfo Castle )

Case No. 13-881 BPG

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 4/22/2013 in the county of Baltimore City in the  
District of Maryland, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. 1326(a) & (b)(2)

Illegal Reentry Following an Aggravated Felony

This criminal complaint is based on these facts:

See Attachment.

☒ Continued on the attached sheet.

  
Complainant's signature  
M. HORN, SA  
Printed name and title

Sworn to before me and signed in my presence.

Date: 04/23/2013

  
Judge's signature

City and state: Baltimore, Maryland

Beth P. Gesner, U.S. Magistrate Judge  
Printed name and title

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

JEROME ADOLFO CASTLE

Defendant.

CRIMINAL COMPLAINT

CASE NUMBER: 13-881 BPG

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief: On or about the 22nd day of April, 2013, at or near the City of Baltimore, in the District of Maryland, the defendant, JEROME ADOLFO CASTLE, an alien who previously had been removed on or about November 17, 2005, at or near Alexandria, Louisiana, after having been convicted of an aggravated felony, was found in the United States not having obtained the express consent of the Attorney General of the United States or his successor, the Secretary for Homeland Security (Title 6, United States Code, Sections 202(3), 202(4) and 557), to reapply for admission to the United States; in violation of Title 8, United States Code, Section 1326(a) & (b)(2).

I further state that I am a Special Agent with Homeland Security Investigations and that this complaint is based upon the following facts:

See Attached Affidavit

Continued on the attached sheet and made a part thereof: ☒ Yes ☐ No

  
Mary E. Horn  
Special Agent

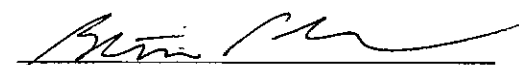
Sworn to before me and subscribed in my presence,

4-23-13

Date and Time Issued

1:10pm

at Baltimore, Maryland

  
United States Magistrate Judge

## AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

### I. Purpose of the Affidavit

1. This affidavit is submitted in support of a criminal complaint charging **Jerome Adolfo CASTLE** with re-entry after deportation of an alien previously convicted of an aggravated felony, in violation of 8 U.S.C. 1326.

### II. Your Affiant

2. Your affiant, Mary E. Horn, is a Special Agent of the Homeland Security Investigations (HSI), in Baltimore, Maryland and as such, your affiant is a law enforcement officer of the United States.

3. Your affiant has been a duly sworn Special Agent since July 4, 1999, including the former Immigration and Naturalization Service and Immigration and Customs Enforcement. Your affiant is currently assigned to the Port Smuggling Investigations Group, specifically at the Baltimore Washington International Airport (BWI). During her tenure as an HSI Agent, your affiant has participated in numerous investigations involving smuggling, narcotics, and other unlawful activities. These investigations have included the use of surveillance techniques, information analysis and the execution of search, seizure, and arrest warrants. Your affiant has attended the Criminal Investigator Training Program at the Federal Law Enforcement Training Center as well as Immigration Officer Basic Training Program. Your affiant is familiar with the facts and circumstances of the investigation that is the subject of this criminal complaint application.

4. Your affiant is familiar with the facts and circumstances of the investigation that is the subject of this affidavit.

5. The information set forth below is based upon my personal observations or upon information provided to me by other law enforcement officers participating in the investigation.

### **III. Applicable Statute**

#### **8 U.S.C. § 1326 Re-Entry after Deportation**

- (a) ... any alien who -
  - (1) has been denied admission, excluded, deported, or removed or has departed the United States while an order of exclusion, deportation, or removal is outstanding, and thereafter
  - (2) enters, attempts to enter, or is at any time found in, the United States ...
- (b) ... in the case of any alien ...
  - (2) whose removal was subsequent to a conviction for commission of an aggravated felony, such alien shall be fined under such title, imprisoned not more than 20 years, or both

### **IV. Probable Cause**

6. Pursuant to another ongoing investigation by HSI and the Drug Enforcement Administration (DEA), Jerome Adolfo CASTLE was identified. A query of HSI databases reveal that Jerome Adolfo CASTLE, date of birth 11/27/1977, was deported to Jamaica as an aggravated felon on November 17, 2005 from Alexandria, Louisiana. CASTLE was previously encountered by Immigration and Customs Enforcement (ICE) agents while incarcerated at Federal Correctional Institute located in Fort Dix, New Jersey. CASTLE had been convicted of Marijuana Distribution on November 4, 2002 and sentenced to forty six months incarceration.

7. SA Horn obtained the alien file, A43 978 551, assigned to Jerome Adolfo CASTLE and confirmed by photographs in the file that this was the same individual under investigation by HSI and DEA. The alien file contained the I-205 Warrant of

Deportation and Warning to Alien Ordered Removed or Deported form, both with a right index fingerprint on the forms.

8. A query of NCIC FBI# 932975RB8 reveals that CASTLE was arrested by the Maryland Transportation Authority Police on December 1, 2008 for possession of fraudulent documents. SA Horn obtained the fingerprints from that arrest and submitted them along with the I-205 Warrant of Deportation and Warning to Alien Ordered Removed to the ICE Forensic Document Laboratory (FDL) for comparison. The analysis completed by the FDL determined that the fingerprints from the subject arrested on December 1, 2008 belonged to the individual previously deported on November 17, 2005. Specifically, the FDL compared the fingerprints associated with FBI# 932975RB8 to the fingerprints associated with the I-205 Warrant of Deportation and Warning to Alien Ordered Removed.

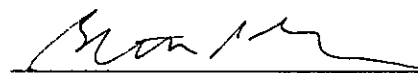
9. SA Horn submitted a request to Citizenship and Immigration Services (CIS) to determine whether CASTLE has applied for permission to re-enter the United States. CIS provided a "Certification of Nonexistence of Record" confirming that CASTLE had not applied to return to the United States following his deportation.

#### **IV. Conclusion**

10. Based on the foregoing, I submit that there is probable cause to believe that Jerome Adolfo CASTLE did re-enter the United States after having been deported as an aggravated felon, in violation of 8 U.S.C. § 1326.

  
Mary Horn, Special Agent  
Homeland Security Investigations

Subscribed and sworn before me on April 23, 2013

A handwritten signature in black ink, appearing to read "Beth P. Gesner", written over a horizontal line.

Honorable Beth P. Gesner  
United States Magistrate Judge